

EXECUTIVE SUMMARY - ENFORCEMENT MATTER

Page 1 of 2

DOCKET NO.: 2006-1587-DCL-E **TCEQ ID:** RN105024178, RN104994819, and RN103960852**CASE NO.:** 31166**RESPONDENT NAME:** Katy Crystal Cleaners, Inc. dba Gap Cleaners

ORDER TYPE:		
<input checked="" type="checkbox"/> 1660 AGREED ORDER	<input type="checkbox"/> FINDINGS AGREED ORDER	<input type="checkbox"/> FINDINGS ORDER FOLLOWING SOAH HEARING
<input type="checkbox"/> FINDINGS DEFAULT ORDER	<input type="checkbox"/> SHUTDOWN ORDER	<input type="checkbox"/> IMMINENT AND SUBSTANTIAL ENDANGERMENT ORDER
<input type="checkbox"/> AMENDED ORDER	<input type="checkbox"/> EMERGENCY ORDER	
CASE TYPE:		
<input type="checkbox"/> AIR	<input type="checkbox"/> MULTI-MEDIA (check all that apply)	<input type="checkbox"/> INDUSTRIAL AND HAZARDOUS WASTE
<input type="checkbox"/> PUBLIC WATER SUPPLY	<input type="checkbox"/> PETROLEUM STORAGE TANKS	<input type="checkbox"/> OCCUPATIONAL CERTIFICATION
<input type="checkbox"/> WATER QUALITY	<input type="checkbox"/> SEWAGE SLUDGE	<input type="checkbox"/> UNDERGROUND INJECTION CONTROL
<input type="checkbox"/> MUNICIPAL SOLID WASTE	<input type="checkbox"/> RADIOACTIVE WASTE	<input checked="" type="checkbox"/> DRY CLEANER REGISTRATION
<p>SITE WHERE VIOLATION(S) OCCURRED: Gap Cleaners, 890 South Mason Road, Suite D, Katy, Harris County ("Facility 1"); 403 Highway 6 South, Suite F, Sugar Land, Fort Bend County ("Facility 2"); 11571 South Highway 6, Sugar Land, Fort Bend County ("Facility 3")</p> <p>TYPE OF OPERATION: Dry cleaning drop stations or dry cleaning facilities</p> <p>SMALL BUSINESS: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>OTHER SIGNIFICANT MATTERS: There are no complaints. There is no record of additional pending enforcement actions regarding these facility locations.</p> <p>INTERESTED PARTIES: No one other than the ED and the Respondent has expressed an interest in this matter.</p> <p>COMMENTS RECEIVED: The <i>Texas Register</i> comment period expired on July 9, 2007. No comments were received.</p> <p>CONTACTS AND MAILING LIST: TCEQ Attorney/SEP Coordinator: None TCEQ Enforcement Coordinator: Mr. Harvey Wilson, Enforcement Division, Enforcement Team 3, MC 149, (512) 239-0321; Mr. David Van Soest, Enforcement Division, MC 219, (512) 239-0468 Respondent: Mr. Ali Pyar, President, Katy Crystal Cleaners, Inc., 890 South Mason Road, Suite D, Houston, Texas 77450 Respondent's Attorney: Not represented by counsel on this enforcement matter</p>		

VIOLATION SUMMARY CHART:

VIOLATION INFORMATION	PENALTY CONSIDERATIONS	CORRECTIVE ACTIONS TAKEN/REQUIRED
<p>Type of Investigation: <input type="checkbox"/> Complaint <input checked="" type="checkbox"/> Routine <input type="checkbox"/> Enforcement Follow-up <input type="checkbox"/> Records Review</p> <p>Date(s) of Complaints Relating to this Case: None</p> <p>Date of Investigation Relating to this Case: May 25, 26 and 30, 2006</p> <p>Dates of NOEs Relating to this Case: August 31, August 29 and September 1, 2006 (NOEs)</p> <p>Background Facts: These were routine investigations. Three violations were documented.</p> <p>WASTE</p> <p>Failed to complete and submit the required registration form to the TCEQ for Facilities 1, 2, and 3 [30 TEX. ADMIN. CODE § 337.10(a) and TEX. HEALTH & SAFETY CODE § 374.102].</p>	<p>Total Assessed: \$3,555</p> <p>Total Deferred: \$711 <input checked="" type="checkbox"/> Expedited Settlement <input type="checkbox"/> Financial Inability to Pay</p> <p>SEP Conditional Offset: \$0</p> <p>Total Paid (Due) to General Revenue: \$711 (remaining \$2,133 due in 3 monthly payments of \$711 each)</p> <p>Site Compliance History Classification <input checked="" type="checkbox"/> High <input checked="" type="checkbox"/> Average <input type="checkbox"/> Poor</p> <p>Person Compliance History Classification <input type="checkbox"/> High <input checked="" type="checkbox"/> Average <input type="checkbox"/> Poor</p> <p>Major Source: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p>Applicable Penalty Policy: September 2002</p>	<p>Corrective Actions Taken:</p> <p>1) The Executive Director recognizes that the Respondent completed and submitted the required registration form to the TCEQ for Facility 3 on September 15, 2006.</p> <p>Ordering Provisions:</p> <p>2) The Order will require the Respondent to:</p> <p>a. Within 15 days after the effective date of this Agreed Order, complete and submit the required dry cleaner and/or drop station registration forms for Facilities 1 and 2; and</p> <p>b. Within 30 days after the effective date of this Agreed Order, submit written certification of compliance with Ordering Provision 2.a.</p>



Policy Revision 2 (September 2002)

Penalty Calculation Worksheet (PCW)

PCW Revision May 19, 2005

DATES	Assigned	05-Sep-2006	Screening	12-Sep-2006	EPA Due	
	PCW	13-Sep-2006				

RESPONDENT/FACILITY INFORMATION

Respondent	Katy Crystal Cleaners, Inc. dba Gap Cleaners		
Reg. Ent. Ref. No.	RN105024178		
Facility/Site Region	12-Houston	Major/Minor Source	Minor Source

CASE INFORMATION

Enf./Case ID No.	31166	No. of Violations	1
Docket No.	2006-1587-DCL-E	Order Type	1660
Media Program(s)	Drycleaner	Enf. Coordinator	Cari-Michel La Caille
Multi-Media		EC's Team	Enforcement Team 4
Admin. Penalty \$ Limit Minimum	\$0	Maximum	\$50

Penalty Calculation Section

TOTAL BASE PENALTY (Sum of violation base penalties) **Subtotal 1** \$1,185

ADJUSTMENTS (+/-) TO SUBTOTAL 1

Subtotals 2-7 are obtained by multiplying the Total Base Penalty (Subtotal 1) by the indicated percentage.

Compliance History 0% Enhancement **Subtotals 2, 3, & 7** \$0

Notes The respondent has not had any other enforcement actions within the last five years.

Culpability No 0% Enhancement **Subtotal 4** \$0

Notes The respondent does not meet the culpability criteria.

Good Faith Effort to Comply 0% Reduction **Subtotal 5** \$0

	Before NOV	NOV to EDPRP/Settlement Offer
Extraordinary		
Ordinary		
N/A	X	(mark with a small x)

Notes The respondent does not meet good faith criteria.

Economic Benefit 0% Enhancement* **Subtotal 6** \$0

Total EB Amounts	\$18
Approx. Cost of Compliance	\$250

*Capped at the Total EB \$ Amount

SUM OF SUBTOTALS 1-7 **Final Subtotal** \$1,185

OTHER FACTORS AS JUSTICE MAY REQUIRE **Adjustment** \$0

Reduces or enhances the Final Subtotal by the indicated percentage. (Enter number only; e.g. -30 for -30%.)

Notes

Final Penalty Amount \$1,185

STATUTORY LIMIT ADJUSTMENT **Final Assessed Penalty** \$1,185

DEFERRAL 20% Reduction **Adjustment** -\$237

Reduces the Final Assessed Penalty by the indicated percentage. (Enter number only; e.g. 20 for 20% reduction.)

Notes Deferral offered for expedited settlement.

PAYABLE PENALTY \$948

Screening Date 12-Sep-2006 **Docket No.** 2006-1587-DCL-E **PCW**
Respondent Katy Crystal Cleaners, Inc. dba Gap Cleaners *Policy Revision 2 (September 2002)*
Case ID No. 31166 *PCW Revision May 19, 2005*
Reg. Ent. Reference No. RN105024178
Media [Statute] Drycleaner
Enf. Coordinator Carl-Michel La Caille

Compliance History Worksheet

>> Compliance History Site Enhancement (Subtotal 2)

Component	Number of...	Enter Number Here	Adjust.
NOVs	Written NOVs with same or similar violations as those in the current enforcement action (<i>number of NOVs meeting criteria</i>)	0	0%
	Other written NOVs	0	0%
Orders	Any agreed final enforcement orders containing a denial of liability (<i>number of orders meeting criteria</i>)	0	0%
	Any adjudicated final enforcement orders, agreed final enforcement orders without a denial of liability, or default orders of this state or the federal government, or any final prohibitory emergency orders issued by the commission	0	0%
Judgments and Consent Decrees	Any non-adjudicated final court judgments or consent decrees containing a denial of liability of this state or the federal government (<i>number of judgements or consent decrees meeting criteria</i>)	0	0%
	Any adjudicated final court judgments and default judgments, or non-adjudicated final court judgments or consent decrees without a denial of liability, of this state or the federal government	0	0%
Convictions	Any criminal convictions of this state or the federal government (<i>number of counts</i>)	0	0%
Emissions	Chronic excessive emissions events (<i>number of events</i>)	0	0%
Audits	Letters notifying the executive director of an intended audit conducted under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 (<i>number of audits for which notices were</i>	0	0%
	Disclosures of violations under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 (<i>number of audits for which violations were disclosed</i>)	0	0%
<i>Please Enter Yes or No</i>			
Other	Environmental management systems in place for one year or more	no	0%
	Voluntary on-site compliance assessments conducted by the executive director under a special assistance program	no	0%
	Participation in a voluntary pollution reduction program	no	0%
	Early compliance with, or offer of a product that meets future state or federal government environmental requirements	no	0%

Adjustment Percentage (Subtotal 2) 0%

>> Repeat Violator (Subtotal 3)

No

Adjustment Percentage (Subtotal 3) 0%

>> Compliance History Person Classification (Subtotal 7)

Average Performer

Adjustment Percentage (Subtotal 7) 0%

>> Compliance History Summary

Compliance History Notes

The respondent has not had any other enforcement actions within the last five years.

Total Adjustment Percentage (Subtotals 2, 3, & 7) 0%

Screening Date	12-Sep-2006	Docket No.	2006-1587-DCL-E	PCW
Respondent	Katy Crystal Cleaners, Inc. dba Gap Cleaners			<i>Policy Revision 2 (September 2002)</i>
Case ID No.	31166			<i>PCW Revision May 19, 2005</i>
Reg. Ent. Reference No.	RN105024178			
Media [Statute]	Drycleaner			
Enf. Coordinator	Cari-Michel La Caille			
Violation Number	<input type="text" value="1"/>			
Primary Rule Cite(s)	<input type="text" value="30 Tex. Admin. Code § 337.10(a)"/>			
Secondary Rule Cite(s)	<input type="text" value="Tex. Health & Safety Code § 374.102"/>			
Violation Description	<input type="text" value="The respondent failed to complete and submit the required registration form to the TCEQ for a dry cleaning and/or drop station facility."/>			
Base Penalty				<input type="text" value="\$50"/>

>> **Environmental, Property and Human Health Matrix**

		Harm			
	Release	Major	Moderate	Minor	
OR	Actual	<input type="text"/>	<input type="text"/>	<input type="text"/>	Percent <input type="text"/>
	Potential	<input type="text"/>	<input type="text"/>	<input type="text"/>	

>> **Programmatic Matrix**

	Falsification	Major	Moderate	Minor	
	<input type="text"/>	<input checked="" type="text" value="x"/>	<input type="text"/>	<input type="text"/>	Percent <input type="text" value="10%"/>
Matrix Notes	<input type="text" value="100% of the rule requirement was not met."/>				

Adjustment **Base Penalty Subtotal** **Violation Events****Number of Violation Events**

mark only one use a small x	daily	<input checked="" type="text" value="x"/>
	monthly	<input type="text"/>
	quarterly	<input type="text"/>
	semiannual	<input type="text"/>
	annual	<input type="text"/>
	single event	<input type="text"/>

Violation Base Penalty

Two hundred thirty-seven daily events are recommended from the September 1, 2005 deadline to the April 26, 2006 deadline established by the TCEQ letter dated March 24, 2006.

Economic Benefit (EB) for this violation**Statutory Limit Test****Estimated EB Amount** **Violation Final Penalty Total** **This violation Final Assessed Penalty (adjusted for limits)**

Economic Benefit Worksheet

Respondent Katy Crystal Cleaners, Inc. dba Gap Cleaners
 Case ID No. 31166
 Reg. Ent. Reference No. RN105024178
 Media [Statute] Drycleaner
 Violation No. 1

Percent Interest	Years of Depreciation
5.0	15

Item Description	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
Delayed Costs							
Equipment				0.0	\$0	\$0	\$0
Buildings				0.0	\$0	\$0	\$0
Other (as needed)				0.0	\$0	\$0	\$0
Engineering/construction				0.0	\$0	\$0	\$0
Land				0.0	\$0	n/a	\$0
Record Keeping System				0.0	\$0	n/a	\$0
Training/Sampling				0.0	\$0	n/a	\$0
Remediation/Disposal				0.0	\$0	n/a	\$0
Permit Costs	\$250	01-Sep-2005	30-Jan-2007	1.4	\$18	n/a	\$18
Other (as needed)				0.0	\$0	n/a	\$0

Notes for DELAYED costs

The estimated cost to register a dry cleaning or drop station facility annually. The date required is the date that the completed registration form was due and the final date is the date the respondent is projected to come into compliance.

Avoided Costs		ANNUALIZE [1] avoided costs before entering item (except for one-time avoided costs)					
Disposal				0.0	\$0	\$0	\$0
Personnel				0.0	\$0	\$0	\$0
Inspection/Reporting/Sampling				0.0	\$0	\$0	\$0
Supplies/equipment				0.0	\$0	\$0	\$0
Financial Assurance [2]				0.0	\$0	\$0	\$0
ONE-TIME avoided costs [3]				0.0	\$0	\$0	\$0
Other (as needed)				0.0	\$0	\$0	\$0

Notes for AVOIDED costs

Approx. Cost of Compliance **\$250****TOTAL** **\$18**

Compliance History

Customer/Respondent/Owner-Operator:	CN603075268	KATY CRYSTAL CLEANERS, INC.	Classification: AVERAGE	Rating: 3.01
Regulated Entity:	RN105024178	GAP CLEANERS	Classification: AVERAGE BY DEFAULT	Site Rating: 3.01
ID Number(s):	INDUSTRIAL AND HAZARDOUS WASTE GENERATION		EPA ID	TXR000073098
Location:	890 S MASON RD STE D, KATY, TX, 77450		Rating Date: September 01 06 Repeat Violator: NO	
TCEQ Region:	REGION 12 - HOUSTON			
Date Compliance History Prepared:	September 06, 2006			
Agency Decision Requiring Compliance History:	Enforcement			
Compliance Period:	September 06, 2001 to September 06, 2006			
TCEQ Staff Member to Contact for Additional Information Regarding this Compliance History				
Name:	Cari-Michel La Caille		Phone:	512-239-1387

Site Compliance History Components

- | | |
|--|-----|
| 1. Has the site been in existence and/or operation for the full five year compliance period? | Yes |
| 2. Has there been a (known) change in ownership of the site during the compliance period? | No |
| 3. If Yes, who is the current owner? | N/A |
| 4. If Yes, who was/were the prior owner(s)? | N/A |
| 5. When did the change(s) in ownership occur? | N/A |

Components (Multimedia) for the Site :

- | | | |
|------------------------|---|--|
| A. | Final Enforcement Orders, court judgements, and consent decrees of the state of Texas and the federal government. | |
| | N/A | |
| B. | Any criminal convictions of the state of Texas and the federal government. | |
| | N/A | |
| C. | Chronic excessive emissions events. | |
| | N/A | |
| D. | The approval dates of investigations. (CCEDS Inv. Track. No.) | |
| | N/A 1 08/31/2006 (510603) | |
| E. | Written notices of violations (NOV). (CCEDS Inv. Track. No.) | |
| | N/A | |
| F. | Environmental audits. | |
| | N/A | |
| G. | Type of environmental management systems (EMSs). | |
| | N/A | |
| H. | Voluntary on-site compliance assessment dates. | |
| | N/A | |
| I. | Participation in a voluntary pollution reduction program. | |
| | N/A | |
| J. | Early compliance. | |
| | N/A | |
| Sites Outside of Texas | | |
| | N/A | |



Policy Revision 2 (September 2002)

Penalty Calculation Worksheet (PCW)

PCW Revision May 19, 2005

DATES	Assigned	05-Sep-2006	Screening	12-Sep-2006	EPA Due	
	PCW	13-Sep-2006				

RESPONDENT/FACILITY INFORMATION

Respondent	Katy Crystal Cleaners, Inc. dba Gap Cleaners		
Reg. Ent. Ref. No.	RN104994819		
Facility/Site Region	12-Houston	Major/Minor Source	Minor Source

CASE INFORMATION

Enf./Case ID No.	31166	No. of Violations	1
Docket No.	2006-1587-DCL-E	Order Type	1660
Media Program(s)	Drycleaner	Enf. Coordinator	Cari-Michel La Caille
Multi-Media		EC's Team	Enforcement Team 4
Admin. Penalty \$ Limit Minimum	\$0	Maximum	\$50

Penalty Calculation Section

TOTAL BASE PENALTY (Sum of violation base penalties) **Subtotal 1** \$1,185

ADJUSTMENTS (+/-) TO SUBTOTAL 1

Subtotals 2-7 are obtained by multiplying the Total Base Penalty (Subtotal 1) by the indicated percentage.

Compliance History 0% Enhancement **Subtotals 2, 3, & 7** \$0

Notes The respondent has not had any other enforcement actions within the last five years.

Culpability No 0% Enhancement **Subtotal 4** \$0

Notes The respondent does not meet the culpability criteria.

Good Faith Effort to Comply 0% Reduction **Subtotal 5** \$0

	Before NOV	NOV to EDRP/Settlement Offer
Extraordinary		
Ordinary		
N/A	X	(mark with a small x)

Notes The respondent does not meet good faith criteria.

Economic Benefit 0% Enhancement* **Subtotal 6** \$0

Total EB Amounts \$18
Approx. Cost of Compliance \$250
*Capped at the Total EB \$ Amount

SUM OF SUBTOTALS 1-7 **Final Subtotal** \$1,185

OTHER FACTORS AS JUSTICE MAY REQUIRE **Adjustment** \$0

Reduces or enhances the Final Subtotal by the indicated percentage. (Enter number only; e.g. -30 for -30%.)

Notes

Final Penalty Amount \$1,185

STATUTORY LIMIT ADJUSTMENT **Final Assessed Penalty** \$1,185

DEFERRAL 20% Reduction **Adjustment** -\$237

Reduces the Final Assessed Penalty by the indicated percentage. (Enter number only; e.g. 20 for 20% reduction.)

Notes

Deferral offered for expedited settlement.

PAYABLE PENALTY \$948

Screening Date 12-Sep-2006**Docket No.** 2006-1587-DCL-E**PCW****Respondent** Katy Crystal Cleaners, Inc. dba Gap Cleaners

Policy Revision 2 (September 2002)

Case ID No. 31166

PCW Revision May 19, 2005

Reg. Ent. Reference No. RN104994819**Media [Statute]** Drycleaner**Enf. Coordinator** Carl-Michel La Caille**Compliance History Worksheet**>> **Compliance History Site Enhancement (Subtotal 2)**

Component	Number of...	Enter Number Here	Adjust.
NOVs	Written NOVs with same or similar violations as those in the current enforcement action (<i>number of NOVs meeting criteria</i>)	0	0%
	Other written NOVs	0	0%
Orders	Any agreed final enforcement orders containing a denial of liability (<i>number of orders meeting criteria</i>)	0	0%
	Any adjudicated final enforcement orders, agreed final enforcement orders without a denial of liability, or default orders of this state or the federal government, or any final prohibitory emergency orders issued by the commission	0	0%
Judgments and Consent Decrees	Any non-adjudicated final court judgments or consent decrees containing a denial of liability of this state or the federal government (<i>number of judgements or consent decrees meeting criteria</i>)	0	0%
	Any adjudicated final court judgments and default judgments, or non-adjudicated final court judgments or consent decrees without a denial of liability, of this state or the federal government	0	0%
Convictions	Any criminal convictions of this state or the federal government (<i>number of counts</i>)	0	0%
Emissions	Chronic excessive emissions events (<i>number of events</i>)	0	0%
Audits	Letters notifying the executive director of an intended audit conducted under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 (<i>number of audits for which notices were</i>	0	0%
	Disclosures of violations under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 (<i>number of audits for which violations were disclosed</i>)	0	0%
Please Enter Yes or No			
Other	Environmental management systems in place for one year or more	no	0%
	Voluntary on-site compliance assessments conducted by the executive director under a special assistance program	no	0%
	Participation in a voluntary pollution reduction program	no	0%
	Early compliance with, or offer of a product that meets future state or federal government environmental requirements	no	0%

Adjustment Percentage (Subtotal 2) 0%>> **Repeat Violator (Subtotal 3)**No **Adjustment Percentage (Subtotal 3)** 0%>> **Compliance History Person Classification (Subtotal 7)**Average Performer **Adjustment Percentage (Subtotal 7)** 0%>> **Compliance History Summary****Compliance History Notes**

The respondent has not had any other enforcement actions within the last five years.

Total Adjustment Percentage (Subtotals 2, 3, & 7) 0%

Screening Date 12-Sep-2006**Docket No.** 2006-1587-DCL-E**PCW****Respondent** Katy Crystal Cleaners, Inc. dba Gap Cleaners

Policy Revision 2 (September 2002)

Case ID No. 31166

PCW Revision May 19, 2005

Reg. Ent. Reference No. RN104994819**Media [Statute]** Drycleaner**Enf. Coordinator** Cari-Michel La Caille**Violation Number** 1**Primary Rule Cite(s)** 30 Tex. Admin. Code § 337.10(a)**Secondary Rule Cite(s)** Tex. Health & Safety Code § 374.102**Violation Description**

The respondent failed to complete and submit the required registration form to the TCEQ for a dry cleaning and/or drop station facility.

Base Penalty \$50>> **Environmental, Property and Human Health Matrix**

Release	Harm			Percent
	Major	Moderate	Minor	
Actual				
Potential				

>> **Programmatic Matrix**

Falsification	Major	Moderate	Minor	Percent
	x			10%

Matrix Notes

100% of the rule requirement was not met.

Adjustment -\$45**Base Penalty Subtotal** \$5**Violation Events****Number of Violation Events** 237

mark only one use a small x	daily	x
	monthly	
	quarterly	
	semiannual	
	annual	
	single event	

Violation Base Penalty \$1,185

Two hundred thirty-seven daily events are recommended from the September 1, 2005 deadline to the April 26, 2006 deadline established by the TCEQ letter dated March 24, 2006.

Economic Benefit (EB) for this violation**Statutory Limit Test****Estimated EB Amount** \$18**Violation Final Penalty Total** \$1,185**This violation Final Assessed Penalty (adjusted for limits)** \$1,185

Economic Benefit Worksheet

Respondent: Katy Crystal Cleaners, Inc. dba Gap Cleaners

Case ID No. 31166

Reg. Ent. Reference No. RN104994819

Media [Statute] Drycleaner

Violation No. 1

Percent Interest	Years of Depreciation
5.0	15

Item	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
Description No commas or \$							
Delayed Costs							
Equipment				0.0	\$0	\$0	\$0
Buildings				0.0	\$0	\$0	\$0
Other (as needed)				0.0	\$0	\$0	\$0
Engineering/construction				0.0	\$0	\$0	\$0
Land				0.0	\$0	n/a	\$0
Record Keeping System				0.0	\$0	n/a	\$0
Training/Sampling				0.0	\$0	n/a	\$0
Remediation/Disposal				0.0	\$0	n/a	\$0
Permit Costs	\$250	01-Sep-2005	30-Jan-2007	1.4	\$18	n/a	\$18
Other (as needed)				0.0	\$0	n/a	\$0

Notes for DELAYED costs

The estimated cost to register a dry cleaning or drop station facility annually. The date required is the date that the completed registration form was due and the final date is the date the respondent is projected to come into compliance.

Avoided Costs

ANNUALIZE [1] avoided costs before entering item (except for one-time avoided costs)

Disposal				0.0	\$0	\$0	\$0
Personnel				0.0	\$0	\$0	\$0
Inspection/Reporting/Sampling				0.0	\$0	\$0	\$0
Supplies/equipment				0.0	\$0	\$0	\$0
Financial Assurance [2]				0.0	\$0	\$0	\$0
ONE-TIME avoided costs [3]				0.0	\$0	\$0	\$0
Other (as needed)				0.0	\$0	\$0	\$0

Notes for AVOIDED costs

Approx. Cost of Compliance **\$250****TOTAL \$18**

Compliance History

Customer/Respondent/Owner-Operator:	CN603075268	KATY CRYSTAL CLEANERS, INC.	Classification: AVERAGE	Rating: 3.01
Regulated Entity:	RN104994819	GAP CLEANERS	Classification: AVERAGE BY DEFAULT	Site Rating: 3.01
ID Number(s):	INDUSTRIAL AND HAZARDOUS WASTE GENERATION		EPA ID	TXR000073114
Location:	403 HIGHWAY 6 STE F, SUGAR LAND, TX, 77478		Rating Date: September 01 06 Repeat Violator: NO	
TCEQ Region:	REGION 12 - HOUSTON			
Date Compliance History Prepared:	September 06, 2006			
Agency Decision Requiring Compliance History:	Enforcement			
Compliance Period:	September 06, 2001 to September 06, 2006			

TCEQ Staff Member to Contact for Additional Information Regarding this Compliance History

Name: Cari-Michel La Caille Phone: 512-239-1387

Site Compliance History Components

- | | |
|--|------------|
| 1. Has the site been in existence and/or operation for the full five year compliance period? | Yes |
| 2. Has there been a (known) change in ownership of the site during the compliance period? | No |
| 3. If Yes, who is the current owner? | <u>N/A</u> |
| 4. If Yes, who was/were the prior owner(s)? | <u>N/A</u> |
| 5. When did the change(s) in ownership occur? | <u>N/A</u> |

Components (Multimedia) for the Site :

- A. Final Enforcement Orders, court judgements, and consent decrees of the state of Texas and the federal government.
N/A
- B. Any criminal convictions of the state of Texas and the federal government.
N/A
- C. Chronic excessive emissions events.
N/A
- D. The approval dates of investigations. (CCEDS Inv. Track. No.)
N/A 1 08/29/2006 (509426)
- E. Written notices of violations (NOV). (CCEDS Inv. Track. No.)
N/A
- F. Environmental audits.
N/A
- G. Type of environmental management systems (EMSs).
N/A
- H. Voluntary on-site compliance assessment dates.
N/A
- I. Participation in a voluntary pollution reduction program.
N/A
- J. Early compliance.
N/A
- Sites Outside of Texas
N/A



Policy Revision 2 (September 2002)

Penalty Calculation Worksheet (PCW)

PCW Revision May 19, 2005

DATES	Assigned	11-Oct-2006	Screening	11-Oct-2006	EPA Due	
	PCW	11-Oct-2006				

RESPONDENT/FACILITY INFORMATION

Respondent	Katy Crystal Cleaners, Inc. dba Gap Cleaners		
Reg. Ent. Ref. No.	RN103960852		
Facility/Site Region	12-Houston	Major/Minor Source	Minor Source

CASE INFORMATION

Enf./Case ID No.	31166	No. of Violations	1
Docket No.	2006-1587-DCL-E	Order Type	1660
Media Program(s)	Drycleaner	Enf. Coordinator	Cari-Michel La Caille
Multi-Media		EC's Team	Enforcement Team 4
Admin. Penalty \$ Limit Minimum	\$0	Maximum	\$50

Penalty Calculation Section

TOTAL BASE PENALTY (Sum of violation base penalties)

Subtotal 1 **\$1,185**

ADJUSTMENTS (+/-) TO SUBTOTAL 1

Subtotals 2-7 are obtained by multiplying the Total Base Penalty (Subtotal 1) by the indicated percentage.

Compliance History **0% Enhancement** Subtotals 2, 3, & 7 **\$0**

Notes The respondent has not had any other enforcement actions within the last five years.

Culpability **No** **0% Enhancement**Subtotal 4 **\$0**

Notes The respondent does not meet the culpability criteria.

Good Faith Effort to Comply **0% Reduction**Subtotal 5 **\$0**

Before NOV NOV to EDPRP/Settlement Offer

Extraordinary		
Ordinary		
N/A	X	(mark with a small x)

Notes The respondent does not meet good faith criteria because registration for the drop station facility was completed and submitted to the TCEQ after the initial settlement offer was received by the respondent.

Economic Benefit

0% Enhancement*

Subtotal 6 **\$0**

Total EB Amounts	\$13
Approx. Cost of Compliance	\$250

*Capped at the Total EB \$ Amount

SUM OF SUBTOTALS 1-7

Final Subtotal **\$1,185**

OTHER FACTORS AS JUSTICE MAY REQUIRE

Adjustment **\$0**

Reduces or enhances the Final Subtotal by the indicated percentage. (Enter number only; e.g. -30 for -30%.)

Notes

Final Penalty Amount **\$1,185**

STATUTORY LIMIT ADJUSTMENT

Final Assessed Penalty **\$1,185**

DEFERRAL

20% Reduction

Adjustment **-\$237**

Reduces the Final Assessed Penalty by the indicated percentage. (Enter number only; e.g. 20 for 20% reduction.)

Notes Deferral offered for expedited settlement.

PAYABLE PENALTY

\$948

Screening Date 11-Oct-2006 **Docket No.** 2006-1587-DCL-E **PCW**
Respondent Katy Crystal Cleaners, Inc. dba Gap Cleaners *Policy Revision 2 (September 2002)*
Case ID No. 31166 *PCW Revision May 19, 2005*
Reg. Ent. Reference No. RN103960852
Media [Statute] Drycleaner
Enf. Coordinator Cari-Michel La Caille

Compliance History Worksheet

>> Compliance History Site Enhancement (Subtotal 2)

Component	Number of...	Enter Number Here	Adjust.
NOVs	Written NOVs with same or similar violations as those in the current enforcement action (<i>number of NOVs meeting criteria</i>)	0	0%
	Other written NOVs	0	0%
Orders	Any agreed final enforcement orders containing a denial of liability (<i>number of orders meeting criteria</i>)	0	0%
	Any adjudicated final enforcement orders, agreed final enforcement orders without a denial of liability, or default orders of this state or the federal government, or any final prohibitory emergency orders issued by the commission	0	0%
Judgments and Consent Decrees	Any non-adjudicated final court judgments or consent decrees containing a denial of liability of this state or the federal government (<i>number of judgments or consent decrees meeting criteria</i>)	0	0%
	Any adjudicated final court judgments and default judgments, or non-adjudicated final court judgments or consent decrees without a denial of liability, of this state or the federal government	0	0%
Convictions	Any criminal convictions of this state or the federal government (<i>number of counts</i>)	0	0%
Emissions	Chronic excessive emissions events (<i>number of events</i>)	0	0%
Audits	Letters notifying the executive director of an intended audit conducted under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 (<i>number of audits for which notices were</i>	0	0%
	Disclosures of violations under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 (<i>number of audits for which violations were disclosed</i>)	0	0%
Other	Environmental management systems in place for one year or more	no	0%
	Voluntary on-site compliance assessments conducted by the executive director under a special assistance program	no	0%
	Participation in a voluntary pollution reduction program	no	0%
	Early compliance with, or offer of a product that meets future state or federal government environmental requirements	no	0%

Adjustment Percentage (Subtotal 2) 0%

>> Repeat Violator (Subtotal 3)

No

Adjustment Percentage (Subtotal 3) 0%

>> Compliance History Person Classification (Subtotal 7)

Average Performer

Adjustment Percentage (Subtotal 7) 0%

>> Compliance History Summary

Compliance History Notes

The respondent has not had any other enforcement actions within the last five years.

Total Adjustment Percentage (Subtotals 2, 3, & 7) 0%

Screening Date	11-Oct-2006	Docket No.	2006-1587-DCL-E	PCW
Respondent	Katy Crystal Cleaners, Inc. dba Gap Cleaners			<i>Policy Revision 2 (September 2002)</i>
Case ID No.	31166			<i>PCW Revision May 19, 2005</i>
Reg. Ent. Reference No.	RN103960852			
Media [Statute]	Drycleaner			
Enf. Coordinator	Cari-Michel La Caille			
Violation Number	<input type="text" value="1"/>			
Primary Rule Cite(s)	<input type="text" value="30 Tex. Admin. Code § 337.10(a)"/>			
Secondary Rule Cite(s)	<input type="text" value="Tex. Health & Safety Code § 374.102"/>			
Violation Description	<input type="text" value="The respondent failed to complete and submit the required registration form to the TCEQ for a dry cleaning and/or drop station facility."/>			
Base Penalty				<input type="text" value="\$50"/>

>> **Environmental, Property and Human Health Matrix**

		Harm			
	Release	Major	Moderate	Minor	
OR	Actual	<input type="text"/>	<input type="text"/>	<input type="text"/>	Percent <input type="text"/>
	Potential	<input type="text"/>	<input type="text"/>	<input type="text"/>	

>> **Programmatic Matrix**

		Falsification	Major	Moderate	Minor	
		<input type="text"/>	<input checked="" type="text" value="x"/>	<input type="text"/>	<input type="text"/>	Percent <input type="text" value="10%"/>
Matrix Notes	<input type="text" value="100% of the rule requirement was not met."/>					

Adjustment **Base Penalty Subtotal** **Violation Events**

Number of Violation Events	<input type="text" value="237"/>
mark only one use a small x	daily <input checked="" type="text" value="x"/>
	monthly <input type="text"/>
	quarterly <input type="text"/>
	semiannual <input type="text"/>
	annual <input type="text"/>
	single event <input type="text"/>

Violation Base Penalty

Two hundred thirty-seven daily events are recommended from the September 1, 2005 deadline to the April 26, 2006 deadline established by the TCEQ letter dated March 24, 2006.

Economic Benefit (EB) for this violation**Statutory Limit Test****Estimated EB Amount** **Violation Final Penalty Total** **This violation Final Assessed Penalty (adjusted for limits)**

Economic Benefit Worksheet

Respondent Katy Crystal Cleaners, Inc. dba Gap Cleaners
 Case ID No. 31166
 Reg. Ent. Reference No. RN103960852
 Media [Statute] Drycleaner
 Violation No. 1

Percent Interest	Years of Depreciation
5.0	15

Item Description	Item Cost No commas or \$	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
Delayed Costs							
Equipment				0.0	\$0	\$0	\$0
Buildings				0.0	\$0	\$0	\$0
Other (as needed)				0.0	\$0	\$0	\$0
Engineering/construction				0.0	\$0	\$0	\$0
Land				0.0	\$0	n/a	\$0
Record Keeping System				0.0	\$0	n/a	\$0
Training/Sampling				0.0	\$0	n/a	\$0
Remediation/Disposal				0.0	\$0	n/a	\$0
Permit Costs	\$250	01-Sep-2005	15-Sep-2006	1.0	\$13	n/a	\$13
Other (as needed)				0.0	\$0	n/a	\$0

Notes for DELAYED costs

The estimated cost to register a dry cleaning or drop station facility annually. The date required is the date that the completed registration form was due and the final date is the date the respondent came into compliance.

Avoided Costs		ANNUALIZE [1] avoided costs before entering item (except for one-time avoided costs)					
Disposal				0.0	\$0	\$0	\$0
Personnel				0.0	\$0	\$0	\$0
Inspection/Reporting/Sampling				0.0	\$0	\$0	\$0
Supplies/equipment				0.0	\$0	\$0	\$0
Financial Assurance [2]				0.0	\$0	\$0	\$0
ONE-TIME avoided costs [3]				0.0	\$0	\$0	\$0
Other (as needed)				0.0	\$0	\$0	\$0

Notes for AVOIDED costs

Approx. Cost of Compliance **\$250****TOTAL \$13**

Compliance History

Customer/Respondent/Owner-Operator:	CN603075268	KATY CRYSTAL CLEANERS, INC.	Classification: AVERAGE	Rating: 3.01
Regulated Entity:	RN103960852	GAP CLEANERS	Classification: AVERAGE BY DEFAULT	Site Rating: 3.01
ID Number(s):	INDUSTRIAL AND HAZARDOUS WASTE GENERATION		EPA ID	TXR000073106
Location:	11571 S HIGHWAY 6, SUGAR LAND, TX, 77478		Rating Date: September 01 06	Repeat Violator: NO
TCEQ Region:	REGION 12 - HOUSTON			
Date Compliance History Prepared:	October 10, 2006			
Agency Decision Requiring Compliance History:	Enforcement			
Compliance Period:	October 10, 2001 to October 10, 2006			

TCEQ Staff Member to Contact for Additional Information Regarding this Compliance History

Name: Cari-Michel La Caille Phone: 512-239-1387

Site Compliance History Components

- | | |
|--|------------|
| 1. Has the site been in existence and/or operation for the full five year compliance period? | Yes |
| 2. Has there been a (known) change in ownership of the site during the compliance period? | No |
| 3. If Yes, who is the current owner? | <u>N/A</u> |
| 4. If Yes, who was/were the prior owner(s)? | <u>N/A</u> |
| 5. When did the change(s) in ownership occur? | <u>N/A</u> |

Components (Multimedia) for the Site :

- A. Final Enforcement Orders, court judgements, and consent decrees of the state of Texas and the federal government.
N/A
- B. Any criminal convictions of the state of Texas and the federal government.
N/A
- C. Chronic excessive emissions events.
N/A
- D. The approval dates of investigations. (CCEDS Inv. Track. No.)
N/A 1 08/11/2006 (497310)
- E. Written notices of violations (NOV). (CCEDS Inv. Track. No.)
N/A
- F. Environmental audits.
N/A
- G. Type of environmental management systems (EMSs).
N/A
- H. Voluntary on-site compliance assessment dates.
N/A
- I. Participation in a voluntary pollution reduction program.
N/A
- J. Early compliance.
N/A
- Sites Outside of Texas
N/A

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY



**IN THE MATTER OF AN
ENFORCEMENT ACTION
CONCERNING
KATY CRYSTAL CLEANERS, INC.
DBA GAP CLEANERS
RN105024178, RN104994819,
RN103960852**

**§ BEFORE THE
§
§
§ TEXAS COMMISSION ON
§
§
§ ENVIRONMENTAL QUALITY**

AGREED ORDER DOCKET NO. 2006-1587-DCL-E

I. JURISDICTION AND STIPULATIONS

At its _____ agenda, the Texas Commission on Environmental Quality ("the Commission" or "TCEQ") considered this agreement of the parties, resolving an enforcement action regarding Katy Crystal Cleaners, Inc. dba Gap Cleaners ("Katy Crystal Cleaners") under the authority of TEX. HEALTH & SAFETY CODE ch. 374 and TEX. WATER CODE ch. 7. The Executive Director of the TCEQ, through the Enforcement Division, and Katy Crystal Cleaners appear before the Commission and together stipulate that:

1. Katy Crystal Cleaners owns and operates either a dry cleaning drop station and/or dry cleaning facility at the following locations (the "Facilities"):
 - a. Gap Cleaners, 890 South Mason Road, Suite D, Katy, Harris County, Texas ("Facility 1").
 - b. Gap Cleaners, 403 Highway 6 South, Suite F, Sugar Land, Fort Bend County, Texas ("Facility 2").
 - c. Gap Cleaners, 11571 South Highway 6, Sugar Land, Fort Bend County, Texas ("Facility 3").
2. The TCEQ has general authority to regulate the Facilities pursuant to TEX. HEALTH & SAFETY CODE § 374.051.
3. The Commission and Katy Crystal Cleaners agree that the Commission has jurisdiction to enter this Agreed Order, and that Katy Crystal Cleaners is subject to the Commission's jurisdiction.
4. Katy Crystal Cleaners received notices of the violations alleged in Section II ("Allegations") on or about September 5, 2006, September 3, 2006 and September 6, 2006.

5. The occurrence of any violation is in dispute and the entry of this Agreed Order shall not constitute an admission by Katy Crystal Cleaners of any violation alleged in Section II ("Allegations"), nor of any statute or rule.
6. An administrative penalty in the amount of Three Thousand Five Hundred Fifty-Five Dollars (\$3,555) is assessed by the Commission in settlement of the violations alleged in Section II ("Allegations"). Katy Crystal Cleaners has paid Seven Hundred Eleven Dollars (\$711) of the administrative penalty and Seven Hundred Eleven Dollars (\$711) is deferred contingent upon Katy Crystal Cleaners' timely and satisfactory compliance with all the terms of this Agreed Order. The deferred amount will be waived upon full compliance with the terms of this Agreed Order. If Katy Crystal Cleaners fails to timely and satisfactorily comply with all requirements of this Agreed Order, including the penalty payment, the Executive Director may require Katy Crystal Cleaners to pay all or part of the deferred penalty.

The remaining amount of Two Thousand One Hundred Thirty-Three Dollars (\$2,133) of the administrative penalty shall be payable in 3 monthly payments of Seven Hundred Eleven Dollars (\$711) each. The next monthly payment shall be paid within 30 days after the effective date of this Agreed Order. The subsequent payments shall each be paid not later than 30 days following the due date of the previous payment until paid in full. If Katy Crystal Cleaners fails to timely and satisfactorily comply with the payment requirements of this Agreed Order, the Executive Director may, at the Executive Director's option, accelerate the maturity of the remaining installments, in which event the unpaid balance shall become immediately due and payable without demand or notice. In addition, the failure of Katy Crystal Cleaners to meet the payment schedule of this Agreed Order constitutes the failure by Katy Crystal Cleaners to timely and satisfactorily comply with all the terms of this Agreed Order.

7. Any notice and procedures which might otherwise be authorized or required in this action are waived in the interest of a more timely resolution of the matter.
8. The Executive Director of the TCEQ and Katy Crystal Cleaners have agreed on a settlement of the matters alleged in this enforcement action, subject to the approval of the Commission.
9. The Executive Director recognizes that Katy Crystal Cleaners completed and submitted the required registration form to the TCEQ for Facility 3 on September 15, 2006.
10. The Executive Director may, without further notice or hearing, refer this matter to the Office of the Attorney General of the State of Texas ("OAG") for further enforcement proceedings if the Executive Director determines that Katy Crystal Cleaners has not complied with one or more of the terms or conditions in this Agreed Order.
11. This Agreed Order shall terminate five years from its effective date or upon compliance with all the terms and conditions set forth in this Agreed Order, whichever is later.
12. The provisions of this Agreed Order are deemed severable and, if a court of competent jurisdiction or other appropriate authority deems any provision of this Agreed Order unenforceable, the remaining provisions shall be valid and enforceable.

II. ALLEGATIONS

As owner and operator of the Facilities, Katy Crystal Cleaners is alleged to have:

1. Failed to complete and submit the required registration form to the TCEQ for Facility 1, in violation of 30 TEX. ADMIN. CODE § 337.10(a) and TEX. HEALTH & SAFETY CODE § 374.102, as documented during an investigation conducted on May 26, 2006.
2. Failed to complete and submit the required registration form to the TCEQ for Facility 2, in violation of 30 TEX. ADMIN. CODE § 337.10(a) and TEX. HEALTH & SAFETY CODE § 374.102, as documented during an investigation conducted on May 30, 2006.
3. Failed to complete and submit the required registration form to the TCEQ for Facility 3, in violation of 30 TEX. ADMIN. CODE § 337.10(a) and TEX. HEALTH & SAFETY CODE § 374.102, as documented during an investigation conducted on May 25, 2006.

III. DENIALS

Katy Crystal Cleaners generally denies each allegation in Section II ("Allegations").

IV. ORDERING PROVISIONS

1. It is, therefore, ordered by the TCEQ that Katy Crystal Cleaners pay an administrative penalty as set forth in Section I, Paragraph 6 above. The payment of this administrative penalty and Katy Crystal Cleaners' compliance with all the terms and conditions set forth in this Agreed Order resolve only the allegations in Section II. The Commission shall not be constrained in any manner from requiring corrective action or penalties for violations which are not raised here. Administrative penalty payments shall be made payable to "TCEQ" and shall be sent with the notation "Re: Katy Crystal Cleaners, Inc. dba Gap Cleaners, Docket No. 2006-1587-DCL-E" to:

Financial Administration Division, Revenues Section
Attention: Cashier's Office, MC 214
Texas Commission on Environmental Quality
P.O. Box 13088
Austin, Texas 78711-3088

2. It is further ordered that Katy Crystal Cleaners shall undertake the following technical requirements:
 - a. Within 15 days after the effective date of this Agreed Order, complete and submit the required dry cleaner and/or drop station registration forms for Facilities 1 and 2, in accordance with 30 TEX. ADMIN. CODE ch. 337 to:

Dry Cleaning Registration Team
Texas Commission on Environmental Quality
P.O. Box 13087
Austin, Texas 78711-3087

- b. Within 30 days after the effective date of this Agreed Order, submit written certification of compliance with Ordering Provision 2.a. as described below:

The certification shall, include detailed supporting documentation including receipts, and/or other records to demonstrate compliance, be notarized by a State of Texas Notary Public and include the following certification language:

"I certify under penalty of law that I have personally examined and am familiar with the information submitted and all attached documents, and that based on my inquiry of those individuals immediately responsible for obtaining the information, I believe that the submitted information is true, accurate and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations."

The certification shall be submitted to:

Order Compliance Team
Enforcement Division, MC 149A
Texas Commission on Environmental Quality
P.O. Box 13087
Austin, Texas 78711-3087

with a copy to:

Manager, Waste Section
Houston Regional Office
Texas Commission on Environmental Quality
5425 Polk Avenue, Suite H
Houston, Texas 77023-1486

3. The provisions of this Agreed Order shall apply to and be binding upon Katy Crystal Cleaners. Katy Crystal Cleaners is ordered to give notice of the Agreed Order to personnel who maintain day-to-day control over the Facilities operations referenced in this Agreed Order.
4. If Katy Crystal Cleaners fails to comply with any of the Ordering Provisions in this Agreed Order within the prescribed schedules, and that failure is caused solely by an act of God, war, strike, riot, or other catastrophe, Katy Crystal Cleaners' failure to comply is not a violation of this Agreed Order. Katy Crystal Cleaners shall have the burden of establishing to the Executive Director's satisfaction that such an event has occurred. Katy Crystal Cleaners shall notify the Executive Director within seven days after Katy Crystal Cleaners becomes aware of a delaying event and shall take all reasonable measures to mitigate and minimize any delay.
5. The Executive Director may grant an extension of any deadline in this Agreed Order or in any plan, report, or other document submitted pursuant to this Agreed Order, upon a written and substantiated showing of good cause. All requests for extensions by Katy Crystal Cleaners shall be made in

writing to the Executive Director. Extensions are not effective until Katy Crystal Cleaners receives written approval from the Executive Director. The determination of what constitutes good cause rests solely with the Executive Director.

6. This Agreed Order, issued by the Commission, shall not be admissible against Katy Crystal Cleaners in a civil proceeding, unless the proceeding is brought by the OAG to: (1) enforce the terms of this Agreed Order; or (2) pursue violations of a statute within the Commission's jurisdiction, or of a rule adopted or an order or permit issued by the Commission under such a statute.
7. This agreement may be executed in multiple counterparts, which together shall constitute a single original instrument. Any executed signature page to this Agreement may be transmitted by facsimile transmission to the other parties, which shall constitute an original signature for all purposes.
8. Under 30 TEX. ADMIN. CODE § 70.10(b), the effective date is the date of hand-delivery of the Order to Katy Crystal Cleaners, or three days after the date on which the Commission mails notice of the Order to Katy Crystal Cleaners, whichever is earlier. The Chief Clerk shall provide a copy of this Agreed Order to each of the parties.

Katy Crystal Cleaners, Inc. dba Gap Cleaners

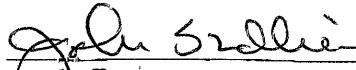
DOCKET NO. 2006-1587-DCL-E

Page 6

SIGNATURE PAGE

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

For the Commission


For the Executive Director

8/21/07

Date

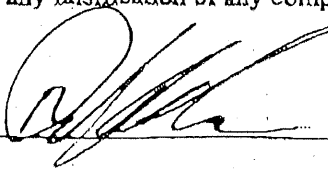
I, the undersigned, have read and understand the attached Agreed Order. I am authorized to agree to the attached Agreed Order on behalf of the entity, if any, indicated below my signature, and I do agree to the terms and conditions specified therein. I further acknowledge that the TCEQ, in accepting payment for the penalty amount, is materially relying on such representation.

I also understand that my failure to comply with the Ordering Provisions, if any, in this order and/or my failure to timely pay the penalty amount, may result in:

- A negative impact on my compliance history;
- Greater scrutiny of any permit applications submitted by me;
- Referral of this case to the Attorney General's Office for contempt, injunctive relief, additional penalties, and/or attorney fees, or to a collection agency;
- Increased penalties in any future enforcement actions against me;
- Automatic referral to the Attorney General's Office of any future enforcement actions against me; and
- TCEQ seeking other relief as authorized by law.

In addition, any falsification of any compliance documents may result in criminal prosecution.

Signature



Date

11-29-06

Name (Printed or typed)

Authorized Representative of

Katy Crystal Cleaners, Inc. dba Gap Cleaners

Title

PRESIDENT

Instructions: Send the original, signed Agreed Order with penalty payment to the Financial Administration Division, Revenues Section at the address in Section IV, Paragraph J of this Agreed Order.

